

House File 358

S-3134

1 Amend House File 358, as passed by the House, as follows:

2 1. Page 2, after line 28 by inserting:

3 <Sec. _____. Section 804.7, Code 2023, is amended to read as
4 follows:

5 **804.7 Arrests by peace officers.**

6 1. A peace officer may make an arrest ~~in obedience to a~~
7 ~~warrant delivered to the peace officer; and without a warrant~~
8 under any of the following circumstances:

9 ~~1.~~ a. For a public offense committed or attempted in the
10 peace officer's presence.

11 ~~2.~~ b. Where a public offense has in fact been committed,
12 and the peace officer has reasonable ~~ground~~ grounds for
13 believing that the person to be arrested has committed it.

14 ~~3.~~ c. Where the peace officer has reasonable ~~ground~~ grounds
15 for believing that an indictable public offense has been
16 committed and has reasonable ~~ground~~ grounds for believing that
17 the person to be arrested has committed it.

18 ~~4.~~ d. Where the peace officer has received from the
19 department of public safety, or from any other peace officer of
20 this state or any other state or the United States an official
21 communication by bulletin, radio, telegraph, telephone, or
22 otherwise, informing the peace officer that a warrant has been
23 issued and is being held for the arrest of the person to be
24 arrested on a designated charge.

25 ~~5.~~ e. If the peace officer has reasonable grounds for
26 believing that domestic abuse, as defined in [section 236.2](#),
27 has occurred and has reasonable grounds for believing that the
28 person to be arrested has committed it.

29 ~~6.~~ f. As required by [section 236.12, subsection 2](#).

30 2. A peace officer, as defined in section 801.4, shall
31 have the authority to make an arrest pursuant to subsection 1
32 anywhere within the state. However, a peace officer shall not
33 establish routine patrol outside of the jurisdiction of the
34 peace officer's employing agency.

35 Sec. _____. Section 804.7A, subsection 2, unnumbered

1 paragraph 1, Code 2023, is amended to read as follows:

2 A federal law enforcement officer has the same authority,
3 as provided in section 804.7, subsection 3 1, paragraph "c",
4 and has the same immunity from suit in this state as a peace
5 officer, as defined in section 801.4, subsection 11, when
6 making an arrest in this state for a nonfederal crime if either
7 of the following exists:>

8 2. Title page, by striking lines 1 through 3 and inserting
9 <An Act relating to law enforcement, including eluding or
10 attempting to elude a pursuing law enforcement vehicle,
11 temporary restricted driver's licenses associated with that
12 offense, and the authority of a peace officer to make an arrest
13 for any public offense anywhere within the state, and providing
14 penalties.>

15 3. By renumbering as necessary.

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